

DECISION NOTICE
Westslope Cutthroat Recovery Project in Muskrat Creek
September 2, 1997

Proposal

Montana Fish, Wildlife & Parks (FWP), in conjunction with U.S. Forest Service (USFS) and the Bureau of Land Management (BLM) propose to secure the existing westslope cutthroat trout population in Muskrat Creek by expanding their occupied habitat from 1.3 to 5.2 miles of stream. The project includes electrofishing cutthroat trout and brook trout in a 1.3 mile reach of stream above the Forest Service boundary. Cutthroat trout captured during electrofishing will be transported above an existing barrier (a series of cascades) into the presently fishless waters of upper Muskrat Creek (3.9 miles of suitable habitat). Eastern brook trout captured during electrofishing will be transported downstream of the Forest Service boundary and a barrier will be constructed to reduce risk of re-invasion by competing and/or hybridizing species.

Montana Environmental Policy Act (MEPA)

MEPA requires FWP to assess the potential consequences of this proposed action for the human and natural environment. The proposal and two other alternatives were detailed in an Environmental Assessment (EA) completed by FWP on July 16, 1997. FWP's proposal is Alternative 2 in the assessment document. The comment period for this EA ended August 18, 1997.

Public scoping meetings were held in Townsend, Helena and Boulder during February to assess interest in westslope cutthroat trout recovery in the Elkhorn Mountains, including Muskrat Creek. The EA was completed on July 16, 1997 and was sent to approximately 100 individuals, groups and agencies. A legal notice soliciting public input was published in the Townsend Star, Boulder Monitor, and the Helena Independent Record. A public meeting was held to discuss the proposal and to take comments on August 13, 1997 in Boulder Montana.

Issues Raised in the Environmental Assessment

The primary issues raised during the Environmental Assessment process included: consequences to private landowners downstream of the project area should cutthroat trout become listed under the Endangered Species Act, angling effects on cutthroat trout and the need for fishing closures, costs of recovery relative to potential for project success, genetic considerations due to small size of breeding population, and suitability of habitat for cutthroat trout.

Jefferson

General Summary of Public Comment

A total of eight (8) written comments were received during the comment period and three comments were taken during the public meeting. Most of the comments received were in general support of westslope cutthroat trout recovery in Muskrat Creek. Although most comments expressed some concern about various aspects of the proposal, no groups or individuals were opposed to the proposed project.

Specific Summary of Comments

- 1) A downstream landowner expressed concern that cutthroat trout could become established downstream of the project area and that potential listing of westslope cutthroat trout could impact livestock operations on private land.

Several landowners informally shared this concern, but most agreed that attempts to enhance the existing cutthroat population was in best interest of all involved parties and that risks for future restrictions due to cutthroat recovery were minimal. The State-wide westslope cutthroat trout working group is currently working on this issue and they provided the concerned landowner with correspondence between the U.S. Fish and Wildlife Service and Governor Racicot that describes examples of private landowner incentives such as candidate conservation agreements.

- 2) Three comments were received expressing concern about angler harvest of westslope cutthroat trout.

Fish will be transported to a relatively remote reach of stream that has little or no traditional fishing activity. Cutthroat trout that re-colonize the lower reach of stream will be protected with the existing catch and release regulation. Project monitoring will determine the need for additional measures to protect cutthroat trout in the project area.

- 3) Four comments expressed concern that potential for project success should be weighed against long-term cost of the project.

The proposed alternative including fish collection, transport, and barrier construction/installation is expected to cost about \$20,000 during the first year of project implementation. Long-term costs of the project include annual monitoring, which is estimated at 9 person-days per year. Alternative #3 involves importing fish from other sources which would result in a higher cost. The no action alternative would involve no costs, but would likely result in the extinction of westslope cutthroat in Muskrat Creek. Although there is no guarantee that any action will secure the existing population, Alternative #2 provides the greatest probability of preventing the extinction of the existing locally-adapted westslope cutthroat population.

4) There were two comments concerning the possibility of a "founder effect" (genetic inbreeding) caused by the limited number of fish available to recover the population.

We will attempt to transport as many individuals as possible to maximize genetic variability of the population above the migration barrier. The option remains available to incorporate additional fish (and genetic material) in the future should the need arise.

5) One comment was received on the need to improve water and habitat conditions in Muskrat Creek to insure cutthroat trout survival.

Habitat and water quality are considered excellent in upper Muskrat Creek. High quality habitat is one factor that has enabled cutthroat to persist despite the intense competition posed by non-native brook trout in Muskrat Creek. In addition, one Elkhorn Forest Plan Amendment objective is to maintain very high quality riparian conditions in westslope cutthroat trout streams such as Muskrat Creek.

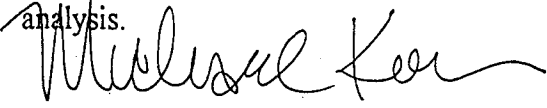
6) Concern was expressed at the public meeting that barrier construction would result in short-term soil disturbance and establishment of noxious weeds.

Mitigation measures, permitting and implementation of Best Management Practices (BMP's) will attempt to minimize effects of this short-term disturbance at the barrier site. The Forest Service analysis and Decision Memo will address specific effects and mitigation requirements.

Decision

Based on the Environmental Assessment and comments received from groups and individuals during the public process, a decision whether or not to proceed with the westslope cutthroat trout recovery project in Muskrat Creek must be made that addresses the issues outlined above. After review of the proposal and corresponding comment, it is my decision to proceed with Alternative #2 because this action represents the best opportunity for the existing, locally adapted cutthroat trout population to persist in Muskrat Creek. It is very likely that selection of the no action alternative would result in the extinction of westslope cutthroat trout in Muskrat Creek. Alternative #3 (using cutthroat trout from other sources in an attempt to maintain a cutthroat trout population in Muskrat Creek) was more costly than the preferred alternative and will continue to be an option in the future if the proposed action proves unsuccessful in recovering the population.

I find there to be no significant impacts associated with this action and conclude that an Environmental Impact Statement is not needed. The completed EA is an appropriate level of analysis.



Michael Korn
Helena Area Coordinator